

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301  
Indianapolis, IN 46204  
(317) 233-0696  
<http://www.in.gov/legislative>

**FISCAL IMPACT STATEMENT**

**LS 6956**

**BILL NUMBER:** HB 1259

**NOTE PREPARED:** Jan 11, 2008

**BILL AMENDED:**

**SUBJECT:** Child Safety and CHINS.

**FIRST AUTHOR:** Rep. VanDenburgh

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** X GENERAL  
DEDICATED  
FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** This bill requires the Fire Building and Safety Commission (Commission) to adopt rules requiring a swimming pool that is completely above ground and sold after July 1, 2008, to have a safety device that prevents a child who is under 48 inches tall from accessing the swimming pool.

The bill requires the Department of Child Services (DCS) to provide notice to certain individuals seven days before a periodic case review for a child in need of services. (Current law requires the department to send notice ten days before the periodic case review.)

**Effective Date:** Upon passage; July 1, 2008.

**Explanation of State Expenditures:** The provisions of this bill will require DCS to provide notice to a child's foster parent(s) or long-term foster parent(s) within 7 days of a periodic case review. DCS is required to provide proof of notification at the periodic case review. DCS reports that this provision is easy to implement and would not require additional state expenditures.

The bill will also allow the Fire Building and Safety Commission to adopt rules regarding safety requirements of above-ground pools. These rules will include enforcement requirements and penalties for violation that will affect state revenue and workload.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** The legislation also removes a provision that requires the court to continue a periodic case review if DCS fails to provide proof that the foster parent(s) were notified of the hearing. Additionally, the legislation removes a provision that states that a court is not required to continue

if a child's foster parent(s) appear at the review. The impact on family courts with the removal of these provisions will depend on judicial discretion of the proceedings and if DCS can verify notification of foster parent(s). Any court delays associated with the removal of these provisions is likely to be small.

**Explanation of Local Revenues:**

**State Agencies Affected:** Department of Child Services.

**Local Agencies Affected:** Local courts of jurisdiction.

**Information Sources:** Ann Houseworth, DCS.

**Fiscal Analyst:** Bill Brumbach, 232-9559.